

Work-related Illnesses or Injuries between April 1, 2000 and July 31, 2002

Carefully review all records involving “lost time” worker’s compensation claims between April 1, 2000 and July 31, 2002 to determine affected employees. The Pinnacol web site may be used to access claims information. If you need assistance with these reports, call DPA’s Risk Management unit at 303-866-3848 or 1-800-268-8092.

Determine if, or how much, injury leave applies to each individual case. After making this determination, compare what actually occurred with what should have happened to determine if any corrections to leave balances or salary will be necessary.

- **Employees Who Were “Made Whole”.** Any sick or annual leave used by the employee who was “made whole” may need to be restored, subject to fiscal year forfeiture provisions and the maximum amount of injury leave (occurrences). Employees who wish to have leave restored must pay the employee’s share of PERA for the worker’s compensation payments they received and the agency must pay the employer’s share. An employee who elects not to pay is ineligible for injury leave and will not have leave restored.
- **Employees Who Were Placed on Leave-Without-Pay.** Employees who were charged leave-without-pay for absences related to a compensable worker’s compensation injury during the first 90 days, should be paid the difference in salary between the worker’s compensation payment and gross base pay. All normal PERA, Medicare, and taxes are withheld. In order to receive this difference in salary, the employee must also pay the employee’s share of PERA and the state will pay the employer’s share on benefits paid by Pinnacol directly to the employee. The employee’s share may be deducted from any pay owed the employee for the period where unpaid leave was taken instead of injury leave. An employee is entitled to anniversary increases that would have occurred during the period of injury leave (i.e., April 2000 through June 2002). This time also counts for movement to the next higher annual leave earning rate. Employees who paid the state’s share of health insurance premiums during the period of time that injury leave applies must also be reimbursed for the state’s share.

Use the *Notice of Injury Leave Restoration* and *Notice of Reconsideration of Injury Leave Restoration* forms, which have specified response times. If two distinct illnesses or injuries occurred during the time period that injury leave is being restored, it is recommended that you send separate notices on each illness or injury.

If you need assistance, call Laurie Benallo in the Department of Personnel and Administration at 303-866-4247.